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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,662	01/22/2004	Dieter Kropp	6039-000323	5154
27572	7590	01/26/2006	EXAMINER	
HARNES, DICKEY & PIERCE, P.L.C.			MOHANDESI, IRAJ A	
P.O. BOX 828			ART UNIT	
BLOOMFIELD HILLS, MI 48303			PAPER NUMBER	
			2834	

DATE MAILED: 01/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/762,662

Applicant(s)

KROPP ET AL.

Examiner

Iraj A. Mohandesi

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 6-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/27-6/29/05 0705, 0604.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 103 03 050.6, filed on January 24, 2006:

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 07/27/2005 and 06/29/2005.

The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Election/Restrictions

3. Applicant's election with traverse of 11/21/2005 is acknowledged.

4. The traversal is not found persuasive because the inventions are distinct, each from the other because of the following reasons:

5. Inventions II and I are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as using the mechanical power of the truck to generate electrical current, which can be used for lighting and also the invention II has separate utility such as converting the rotating shaft of the truck to generate hydraulic pressure to use operating a jack of crane. See MPEP § 806.05(d).

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6. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1- 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Kaga US patent 6,909,197.

Regarding claim 1, Kaga'197 discloses a generator unit (10) for tractors composing: a housing (housing of the gear box) non-rotationally being connectable to a component (13, 7 and 6) of a tractor; an input shaft (7) being rotationally supported in the housing, said input shaft connectable to a power take-off shaft (6) of the tractor; an electrical generator (9) inherently including a stator and a rotor, said rotor is drive-wise connected to and driven by the input shaft, said electrical generator coupled with the housing (see fig.1) ; and the electrical generator driving electrical loads of the tractor (see column 2, line 25-26) or of an agricultural device.

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Regarding claims 2-5 Kaga'197 discloses a generator unit (10) for tractors ,wherein an output shaft (7) being drive-wise connected to the input shaft and inherently connectable to the drive shaft of an agricultural device, wherein the input shaft (the element 7 shaft female and male part and they are formed as unfired component) and the output shaft are formed as a unified component and a gear (8) is provided between the input shaft and the rotor of the electrical generator (see fig. 1).

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claim 1,3 and 5 is rejected under 35 U.S.C. 102(b) as being anticipated by Forrester US patent 1,772,247

Forrester'247 discloses generator unit (8, power member) for tractors composing: a housing (11) non-rotationally being connectable to a component (18) of a tractor; an input shaft (9)being rotationally supported in the housing, said input shaft connectable to a power take-off shaft(24) of the tractor; an electrical generator(8) inherently including a stator and a rotor, said rotor is drive-wise connected to and driven by the input shaft (9 ,

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see Fig.1), said electrical generator coupled with the housing (11) and the electrical generator driving electrical loads (66, the output cable can be used to drive load).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 2⁴ are rejected under 35 U.S.C. 103(a) as being unpatentable over Forrester US patent 1,772,247 and in view of C.W non Fumetti US patent 3,001,409. Forrester US patent 1,772,247 teaches all limitation of claimed invention except a input shaft connectable to the drive shaft of an agricultural device. Fumetti US patent 3,001,409 discloses a power take of (14) for connecting any load such as mechanical or agriculture load (See Fig. 1). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine Forrester output shaft with a power take of as taught by Fumetti for the purpose of connecting an agriculture load.

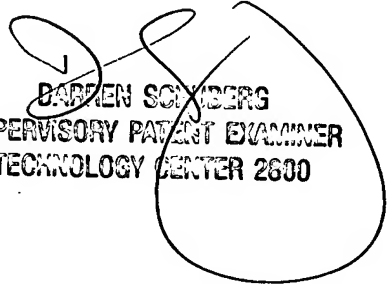
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Iraj A. Mohandesi whose telephone number is 571-272-2028. The examiner can normally be reached on M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

I. Mohandesi January 22, 2006


DARREN SCHENBERG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600